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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,425	05/22/2001	Srinivas Bharadwaj	MEDIAFARM.PT1	9411
7590	09/08/2004		EXAMINER	
Otto O. Lee, Esq. Intellectual Property Law Group 12 South First Street, Suite 1212 San Jose, CA 95113			COULTER, KENNETH R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/863,425	BHARADWAJ, SRINIVAS	
	Examiner	Art Unit	
	Kenneth R Coulter	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 37 are rejected under 35 U.S.C. 102(b) as being disclosed by Cook (U.S. Pat. No. 5,727,950) (Agent Based Instruction System and Method).

2.1 Regarding claim 1, Cook discloses an apparatus comprising:

a client computer configured to fit in a person's hand, comprising:

a central processor unit (col. 20, line 26 “client CPU and memory”);

memory device coupled to the central processor unit, said memory being configured to store instructions to direct the central processing unit (col. 20, line 26);

input device coupled to the central processor unit (col. 20, lines 28 – 30 “Turning to the client I/O requirement, standard input devices such as keyboard and mouse, or other pointing device, are preferable.”);

a communication device coupled to the central processor unit and adapted to establish a wireless communication link with one or more remotely located server computers (Fig. 1; col. 20, lines 11 - 15); and

a display device coupled to the central processor unit (col. 20, lines 29 - 30), wherein said client computer device is adapted to act as a remote output device for one or more application programs running on said one or more remotely located server computers without the need for an execution environment on the client computer (col. 20, lines 59 - 67).

2.2 Per claim 2, Cook teaches the apparatus as in claim 1, wherein the input device is a stylus, a microphone adapted to receive speech input, a pointing device, keyboard, touch pad, jog dial, joystick, or an infrared input device (col. 20, lines 28 – 30; col. 16, lines 32 - 35).

2.3 Regarding claim 3, Cook discloses the apparatus as in claim 1, wherein the one or more application programs include one active application (col. 20, lines 59 - 67).

2.4 Per claim 4, Cook teaches the apparatus as in claim 3, further comprising: a portion of the memory device configured as a local cache (col. 16, lines 13 – 15 and 20 - 22); wherein drawables corresponding to the one or more application programs are stored in the cache for local retrieval and display (col. 6, lines 13 – 36; col. 16, lines 20 – 22; col. 20, lines 64 - 67).

2.5 Regarding claim 5, Cook discloses the apparatus as in claim 1, further comprising: first component coupled to the memory device, said first component

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configured to transmit a list of cached drawables for an active application to a server (col. 6, lines 13 – 36; col. 16, lines 20 – 22; col. 20, lines 64 – 67; col. 57, line 65 – col. 58, line 13).

2.6 Per claim 6, Cook teaches the apparatus as in claim 1, further comprising: second component coupled to the memory device, said second component configured to receive a compound request message from the server (col. 6, lines 13 – 24; col. 9, lines 47 – 50; col. 57, line 65 – col. 58, line 13).

2.7 Regarding claim 7, Cook discloses the apparatus as in claim 6, further comprising a third component coupled to the memory device, said third component configured to use the compound request message to update a display state of the client computer (col. 6, lines 13 – 24; col. 9, lines 47 – 50; col. 57, line 65 – col. 58, line 13).

2.8 Regarding claim 8, Cook discloses the apparatus as in claim 1, further comprising: fourth component configured to transmit a user's identification information to a server (col. 22, lines 32 – 52; col. 18, lines 16 - 18); and fifth component configured to receive information regarding a list of applications previously executing for that user (Abstract; Figs. 6, 7; col. 5, lines 20 – 30).

2.9 Per claim 9, Cook teaches the apparatus as in claim 1, further comprising: sixth component configured to select one of a plurality of applications from a list of available

applications (Abstract; Figs. 6, 7; col. 5, lines 20 – 30 “agent”).

2.10 Regarding claim 10, Cook discloses the apparatus as in claim 1, further comprising: seventh component configured to decode streams of multimedia signals on the client (col. 20, line 35 “MPEG decoders”).

2.11 Per claim 11, Cook teaches the apparatus as in claim 10, wherein the seventh component comprises an MPEG decoder (col. 20, line 35).

2.12 Regarding claim 12, Cook discloses the apparatus as in claim 1, wherein the input device includes: a microphone adapted to receive spoken input, and a voice-activity detector, whereby the voice-activity detector is configured to be activated upon the detection of a speech input present at the microphone (col. 16, lines 31 – 37; col. 20, line 35).

2.13 Per claim 13, Cook teaches the apparatus as in claim 12, wherein the processor is programmed to instruct the voice-activity detector to detect speech input present at the microphone, and transmit the detected speech (col. 16, lines 31 – 37; col. 20, line 35).

2.14 Regarding claim 14, Cook discloses the apparatus as in claim 13, wherein the speech input is directed toward an active application (col. 16, lines 31 – 37; col. 20, line

35).

2.15 Per claim 15, Cook teaches the apparatus as in claim 13, wherein the speech input is directed toward an application list manager (ALM) module, said ALM module is configured to manage an application (Abstract; Figs. 6, 7; col. 5, lines 20 – 30 “agent”; col. 57, line 65 – col. 58, line 13).

2.16 Regarding claim 16, the rejection of claims 1, 6, and 7 under 35 USC 102(b) (paragraphs 2.1, 2.6, and 2.7 above) applies fully.

2.17 Regarding claims 17 – 37, the rejection of claims 1 – 15 under 35 USC 102(b) (paragraphs 2.1 – 2.15 above) applies fully.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 703 305-8447. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

krc

KENNETH R. COULTER  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Kenneth R. Coulter", written over the printed name and title.